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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,204	02/27/2004	Dale A. Flanery	FLA09 P-300	9060

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EXAMINER

HUYNH, KHOA D

ART UNIT	PAPER NUMBER
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3751

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/789,204	Applicant(s) FLANERY ET AL.	
	Examiner Khoa D. Huynh	Art Unit 3751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2006 and 28 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-67 is/are pending in the application.
- 4a) Of the above claim(s) 25,43 and 67 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24,26-42 and 44-66 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's election of Species 1, Subspecies 1b in the reply filed on 08/28/06 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Applicant, in the reply, indicates that claims 1-24, 26-42 and 44-66 are readable on the elected species/subspecies. Accordingly, claims 25, 43 and 67 are withdrawn from further consideration as being drawn to the non-elected inventions.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Skenderi (5364198).

Regarding claim 1, the Skenderi reference discloses a cleaning device.

The device includes an extendable wand (at 12) having a first end (about 38) and a second end (about 32). The extendable wand has a cleaning fluid reservoir (at 18) located at the first end and a cleaning head (at 28) located at the second end. A cleaning fluid delivery system (at 20) located partially within the wand for delivery cleaning fluid from the reservoir to the cleaning head, wherein the

pressure of the cleaning fluid is inherently independent of the extendable length of the wand.

Regarding claim 2, as schematically shown in Figure 5, the wand further includes a pair of telescoping tubes.

Regarding claim 3, the cleaning fluid reservoir comprises a bottle (18).

Regarding claim 4-6, as schematically shown in Figure 1, the cleaning fluid system includes a tube (20) that coiled around the wand from the first end to the second end. The wand further includes a pair of telescoping tubes and the coiled tube is located with its portion within the tubes.

Regarding claims 7-10 and 19, the cleaning fluid delivery system includes a pump (at 44). The cleaning fluid system includes a tube (20) that coiled around the wand from the first end to the second end. The wand further includes a pair of telescoping tubes and the coiled tube is located with its portion within the tubes. The cleaning fluid reservoir further comprises a bottle (18).

Regarding claims 11-18, the wand also includes a handle (38), wherein the pump is located in the handle. The wand further includes a pair of telescoping tubes, wherein the pair of telescoping tubes includes a first telescoping end and a second telescoping end, and the handle is connected at the first telescoping end. The cleaning fluid system includes a tube (20) that coiled around the wand from the first end to the second end of the wand. The coiled tube is located with its portion within the tubes and connected to the pump and a sprayer (34,16) at the second end for spraying fluid transferred to the

second end. The sprayer further includes an adjustable sprayer knob (at 16), wherein the sprayer is located between the tubes and the cleaning head.

Regarding claims 20-22, a sprayer (34,16) at the second end for spraying fluid transferred to the second end of the wand. The sprayer further includes an adjustable sprayer knob (at 16), wherein the sprayer is located between the tubes and the cleaning head.

Regarding claims 23 and 24, the cleaning head includes a mop head with a retainer (at 22) capable for retaining an article such as a cloth or squeeze (14) on the cleaning head.

Claims 26-42 and 44-66 recite the limitations that are similar to the limitations recited in claims 1-24 which have been rejected as discussed supra.

Response to Arguments

4. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new grounds of rejection as discussed supra.

Conclusion

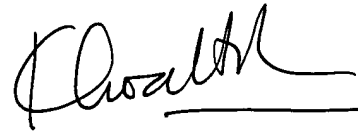
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure and could be used to formulate a rejection, i.e. final rejection if so desired.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khoa D. Huynh whose telephone number is (571) 272-4888. The examiner can normally be reached on M-F (7:00-3:30).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Huson can be reached on (571) 272-4887. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Khoa D. Huynh
Primary Examiner
Art Unit 3751

HK
10/30/2006